

Exhibit A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO, : PROMESA
as representative of : Title III
THE COMMONWEALTH OF PUERTO RICO *et al.*, : Case No. 17-BK-3283 (LTS)
Debtors.¹ : (Jointly Administered)
: : X

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO, : PROMESA
as representative of : Title III
PUERTO RICO ELECTRIC POWER AUTHORITY : Case No. 17-BK-4780 (LTS)
Debtor. : This filing relates only to
: Case No. 17-BK-4780 (LTS)
: : X

**[PROPOSED] ORDER GRANTING RENEWAL OF JUNE 3, 2019 OMNIBUS MOTION
OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO COMPEL IN
CONNECTION WITH PREPA RSA RULE 9019 SETTLEMENT MOTION**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Renewal Of June 3, 2019 Omnibus Motion Of Official Committee Of Unsecured Creditors To Compel In Connection With PREPA RSA Rule 9019 Settlement Motion* (the “Renewed Motion”), the Court having reviewed the Renewed Motion and the relief requested; the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); the Court determining that venue of this proceeding and the Renewed Motion in this District is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); notice of the Renewed Motion being adequate and proper under the circumstances; and after due deliberation and sufficient cause appearing; therefore, it is hereby ORDERED that:

1. The Renewed Motion is GRANTED as set forth herein.
2. It is hereby ORDERED that the Government Parties in responding to the Committee’s requests are not entitled to assert a deliberative process privilege over any documents or communications concerning the Government Parties’ negotiation of and/or ultimate agreement to the RSA.
3. It is hereby ORDERED that the Government Parties, the Ad Hoc Group, and Assured in responding to the Committee’s request are not entitled to assert a common interest privilege over documents or communications dated prior to the May 3, 2019 execution of the Definitive RSA.
4. It is hereby ORDERED that AAFAF and PREPA add the following individuals as document custodians: (1) Eli Atienza Diaz, (2) Jose Ortiz, (3) Nelson Morales, and (4) Gerardo Loran Butron.
5. It is hereby ORDERED that AAFAF and PREPA must complete a comprehensive review of all potentially responsive documents and log all documents withheld as privileged.

6. It is hereby ORDERED that Filsinger identify a set of relevant document custodians and conduct its own search for responsive documents and communications.

7. It is hereby ORDERED that FOMB add the following individuals as document custodians: (1) Jose B. Carrion III; (2) Andrew Biggs; (3) Carlos M. Garcia; (4) Arthur J. Gonzalez; (5) Ana J. Matosantos; (6) Jose R. Gonzalez; and (7) David A. Skeel.

8. It is hereby ORDERED that Blue Mountain and Knighthead, two Ad Hoc Group member funds, produce responsive documents from (1) the most senior responsible professional involved in its PREPA position, and (2) the professional most involved on a day-to-day basis.

9. It is hereby ORDERED that the Nonproducing Parties search for and produce (1) hard copy documents, (2) non-email electronic communications (including but not limited to text messages, instant messages, WhatsApp messages, Telegram chats, and any similar forms of communications) and (3) emails from accounts other than official email accounts (to the extent responsive communications were generated from or received in such accounts) in response to the Committee's document requests.

10. It is hereby ORDERED that, in addition to the productions to which the Nonproducing Parties have agreed in their Responses and Objections and subsequent meet-and-confer discussions with the Committee, the Nonproducing Parties shall provide complete productions of responsive, non-privileged documents in response to the following Committee's requests for discovery, as follows:

- a. FOMB – First Document Requests Nos. 4, 5, 8, 9, 12, 17, 18, 19, 20, 25 and 26.
- b. FOMB – Second Document Request No. 11.

- c. AAFAF – First Document Requests Nos. 4, 5, 9, 10, 11, 12, 17, 18, 19, 20, 25 and 26.
- d. AAFAF – Second Document Request No. 9.
- e. PREPA - First Document Requests Nos. 4, 5, 9, 10, 11, 12, 17, 18, 19, 20, 25 and 26.
- f. PREPA - Second Document Request No. 9.

11. It is hereby ordered that the Government Parties shall provide witnesses to testify on the following topics, in addition to the topics to which the Government Parties have agreed in their responses and objections to the Committee's requests for 30(b)(6) testimony:

- a. FOMB – Topics 4, 6, 9, 10, and 11
- b. AAFAF – Topics 4, 6, 9, 10 and 11
- c. PREPA – Topics 4, 6, 10, 11 and 12

12. It is hereby ORDERED that Assured produce loss reserve calculations and communications relating to such loss reserve calculations shared with New York regulators.

13. It is hereby ORDERED that all documents produced by FOMB, AAFAF, and PREPA in connection with the Renewed Receiver Motion be deemed produced in response to the Committee's document requests relating to the 9019 Motion.

14. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

Dated: _____
Boston, Massachusetts

Hon. Judith G. Dein
UNITED STATES MAGISTRATE JUDGE